

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
John C. Harvey *et al.*

Patent No.: 7,734,251

Issued: June 8, 2010

For: SIGNAL PROCESSING APPARATUS AND
METHODS

Commissioner for Patents
Office of Patent Publication
Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION UNDER

37 C.F.R. §1.322 and §1.323

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted errors which should be corrected. The errors in claims 8 and 10 of the issued patent do not reflect the Examiner's Amendment contained in the November 3, 2009 Ex Parte Quayle Action (Exhibit A) or the Examiner's Amendment contained in the February 25, 2010 Notice of Allowance (Exhibit B). The error in claim 13 is the result of Applicants' inadvertent omission in the January 13, 2003 Amendment and Request for Reconsideration (Exhibit C).

In claim 8, column 286, line 55, insert "at" before "at least one." Claim 8 was originally claim 80. In claim 80, on page 9 of the November 3, 2009 Examiner's Amendment, "at" is correctly included to make the phrase "at at least one."

In claim 10, column 287, line 25, insert "at" before "at least one." Claim 10 was originally claim 84. In claim 84, on page 10 of the November 3, 2009 Examiner's Amendment, "at" is correctly included to make the phrase "at at least one."

In claim 13, column 287, lines 63-64, insert "signal" between "discrete" and "at." Applicants originally added claim 13 to the application as claim 183, via an amendment filed on January 13, 2003. Applicants inadvertently omitted "signal" from the claim. The relevant phrase should be "a second control discrete signal at," as evidenced by the reference to "said second control discrete signal at" later in the claim. The mistake is of a minor character and the correction does not involve changes that would constitute new matter.

The claims were last amended via an Examiner's Amendment contained in the February 25, 2010 Notice of Allowance. Applicants gave authorization for the Examiner's Amendment on January 28, 2010, via telephone interview. No further amendments were submitted by Patentee or issued by the Examiner. Patent 7,734,251 issued on June 8, 2010, and contains the aforementioned typographical errors.

Patentee believes that the errors detailed above represent Office and Applicant mistakes correctable pursuant to 37 C.F.R. §§1.322 and 1.323. Patentee has submitted a fee for the instant Request for Certificate of Correction, as one of the errors is due to Applicants' mistake. If any additional fees are required, the Director is hereby authorized to charge any fees to Deposit Account No. 50-4494.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment. Patentee respectfully solicits the granting of the requested Certificate of Correction.

Dated: December 9, 2010

Respectfully submitted,

By Thomas J. Scott, Jr.
Thomas J. Scott, Jr.

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Request for Certificate of Correction
Patent No. **7,734,251**
Attorney Docket No. **PMC-003 C228**
Page 3 of 5

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/470,571	06/06/1995	JOHN C. HARVEY	PMC-003 C228	7586
70813	7590	11/03/2009		
GOODWIN PROCTER LLP 901 NEW YORK AVENUE, N.W. WASHINGTON, DC 20001				
EXAMINER				
PAPPAS, PETER				
ART UNIT		PAPER NUMBER		
2628				
NOTIFICATION DATE		DELIVERY MODE		
11/03/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

AAAlpha-Kpetewama@goodwinprocter.com
patentdc@goodwinprocter.com

Examiner-Initiated Interview Summary		Application No. 08/470,571	Applicant(s) HARVEY ET AL.
Examiner PETER-ANTHONY PAPPAS		Art Unit 2628	

All Participants:

(1) PETER-ANTHONY PAPPAS.

(2) Thomas Scott.

Date of Interview: 22 October 2009

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Status of Application: Pending

(3) Carl Benson.

(4) _____

Time: _____

Part I.

Rejection(s) discussed:

Claims discussed:

67-72,74,80,81,84,85,87,91,93-95,98,100,102,103,106-109 and 183-197

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Peter-Anthony Pappas/
Primary Examiner, Art Unit 2628

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed:

An examiner's amendment to place the instant application into conditions for allowance was proposed and agreed upon. The examiner reminded the applicant that they must comply with the Administrative Requirement. The applicant acknowledged and stated that they would comply with the Administrative Requirement.

Office Action Summary

Application No.

08/470,571

Applicant(s)

HARVEY ET AL.

Examiner

PETER-ANTHONY PAPPAS

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 67-72, 74, 80, 81, 84, 85, 87, 91, 93-95, 98, 100, 102, 103, 106-109 and 183-197 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 1995 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing (PTO-646)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 10/22/09
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 67-72, 74, 80, 81, 84, 85, 87, 91, 93-95, 98, 100, 102, 103, 106-109 and 183-197.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Scott and Carl Benson on 10/22/09.

- The application has been amended as follows: see the attached claims.
2. Claims 67-72, 74, 80, 81, 84, 85, 87, 91, 93-95, 98, 100, 102, 103, 106-109 and 183-197 are allowed. In regard to said claims the prior art of record fails to teach or suggest the respective claim limitations when considered as a whole and when read in light of the following interpretations disclosed by the Board of Patent Appeals and Interferences, herein referred to as BPAI:
- **coordinated display** – a display where the images used in the display are displayed dependent on a defined relationship between the content of the images. (6/24/09 BPAI decision, p. 3).
 - **user specific** – any information (or signal) that reflects something personal about a particular user, such as property ownership or capabilities, and implies no restriction on the number of users to whom the information (or signal) can be considered to be personal. "User specific" data does not require that the information be "unique" or "personal" to the user. Nor does "user specific" data require any particular kind of data, such as numerical data as opposed to control

data. Therefore, any data entered by a user (subscriber) at a receiver station is "user specific data" because that data is personal to the user even if other users can enter the same data. (3/20/09 BPAI decision, pp. 17).

- **user specific subscriber datum** – requires no more than data input by a user because that data is specific to that user. The data can be any kind of data, including control data. Any data entered by a user (subscriber) at a receiver station is a "user specific subscriber datum" because that data is personal to the user. (3/20/09 BPAI decision, pp. 34, 44).
- **generate** – to bring into existence. "Generate" requires more than just "select" or retrieve." (3/20/09 BPAI decision, p. 39).
- **locally generated** – brought into existence at a particular location. (3/20/09 BPAI decision, p. 18).
- **organize** – to arrange in a desired pattern. (3/20/09 BPAI decision, p. 21).
- **organizing information included in said at least one first discrete signal with information included in said second discrete signal to provide an organized signal at said receiver station** – two or more bits (discrete signals) are "organized" by being arranged in a buffer or register to create a byte of data that is recognized by computer as a character of data or a program instruction. Each bit has one bit of information. (3/20/09 BPAI decision, p. 22).
- **organizing information in signals to provide an organized signal** – requires that individual bits are assembled into a group, such as a byte, which is recognized by the computer. (3/20/09 BPAI decision, p. 35).

- **generating an image by processing at least one user specific subscriber**

datum – requires that the datum influences the appearance of the image.

(3/20/09 BPAI decision, pp. 38-39).

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. This application is in condition for allowance except for the following formal matters: Applicant's compliance with the Administrative Requirement. Applicant's compliance will take the form of one of the following actions: (1) filing terminal disclaimers in each of the related co-pending application terminally disclaiming each of the other co-pending applications; (2) providing an affidavit attesting to the fact that all claims in the co-pending application have been reviewed by applicant and that no conflicting claims exists between the applications; or (3) resolving all conflicts between claims in the identified co-pending applications by identifying how all the claims in the instant application are distinct and separate inventions from all the claims in the identified co-pending applications.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER-ANTHONY PAPPAS whose telephone number is (571) 272-7646. The examiner can normally be reached on M-F 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter-Anthony Pappas/
Primary Examiner, Art Unit 2628

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1-66. Cancelled

67. (Currently amended) ~~The method of claim 56, further comprising the step of~~
A method for receiving and processing remotely originated and user specific data for
use with a video apparatus, said video apparatus having a video output device for
displaying a video presentation comprising a locally generated image and an image
received from a remote video source, said method comprising the steps of:

receiving said user specific data at said video apparatus, said user specific data
being specific to a user of said video apparatus;

contacting a remote data source after said step of receiving said user specific
data;

receiving from said remote data source based on said step of contacting said
remotely originated data to serve as a basis for displaying said video presentation;

executing processor instructions to process said remotely originated data and
said user specific data at said video apparatus in order to generate said locally
generated image;

storing a first television program in order to present at least one of said locally
generated image and said image received from said remote video source at a particular
time or place, said locally generated image including at least some information content
that does not include any information from said remote video source and said remote
data source; and

simultaneously displaying said locally generated image and said image received from said remote video source at said video output device, wherein said at least some information content of said locally generated image is displayed.

68. (Previously presented) The method of claim 67, wherein said video output device displays said locally generated image based on said step of storing.

69. (Previously presented) The method of claim 67, wherein said video apparatus includes a computer which stores said remotely originated and said user specific data.

70. (Previously presented) The method of claim 67, wherein said video apparatus includes a computer which generates said locally generated image in response to at least one instruct signal, said method further comprising the step of inputting said first television program to said computer.

71. (Previously presented) The method of claim 70, further comprising the step of programming said computer to respond to said at least one instruct signal.

72. (Previously presented) The method of claim 71, wherein said first television program is received from said remote video source.

73. Cancelled

74. (Previously presented) The method of claim 71, wherein said video apparatus includes a local device which inputs selected information to said computer,

said method further comprising the step of inputting said at least one instruct signal from said local device to said computer.

75-79. Cancelled

80. (Currently amended) A method of controlling a video presentation at at least one receiver station of a plurality of receiver stations, said method comprising the steps of:

transmitting a signal from an origination transmitter to a remote intermediate transmitter station, said signal including video and discrete signals for providing an instruct signal which is at said at least one receiver station, said instruct signal being operative at said at least one receiver station to instruct said at least one receiver station to at least one of generate and output a locally generated portion of said video presentation based on data specific to a user of said receiver station for display coordinated with said video, said data specific to a user being stored at said at least one receiver station prior to organizing information included in said discrete signals to provide said instruct signal, said locally generated portion including at least some information content that does not include any information from any of said signals, said at least some information content for display; and

transmitting at least one control signal from said origination transmitter to said remote intermediate transmitter station before a specific time, wherein said at least one control signal is effective at said remote intermediate transmitter station to control

communication of said video and said instruct signal to said at least one receiver station.

81. (Previously presented) The method of claim 80, wherein said at least one control signal comprises information which, at said remote intermediate transmitter station, identifies a portion of an information transmission that includes said video, said method further comprising the step of:

transmitting from said origination transmitter a second control signal which, at said remote intermediate transmitter station, facilitates the communication of said portion of said information transmission to said at least one receiver station.

82-83. Cancelled

84. (Previously presented) A method of controlling a video presentation at at least one receiver station of a plurality of receiver stations, wherein at least one organized signal comprises information content of separate ones of a plurality of discrete signals and said at least one organized signal is operative to instruct a processor at said at least one receiver station to deliver a locally generated image for display in conjunction with video, said method comprising the steps of:

receiving said video at a transmitter station;

delivering said video to a transmitter;

receiving a first discrete signal and a second discrete signal of said plurality of discrete signals at said transmitter station, wherein said first discrete signal includes information for organizing with information included in said second of said plurality of

discrete signals to provide said at least one organized signal, and wherein said at least one organized signal instructs said at least one receiver station to one of generate and output said locally generated image for display coordinated with said video, said locally generated image being based on user specific data, said user specific data being stored at said at least one receiver station prior to said organizing to provide said at least one organized signal, said user specific data being based on information supplied by a user of said at least one receiver station;

transferring said first discrete signal and said second discrete signal to said transmitter;

and

transmitting said video, said first discrete signal and second discrete signal to said at least one receiver station.

85. (Previously presented) The method of claim 84, wherein at least one of (i) identification data and (ii) said first discrete signal and said second discrete signal is transmitted to said transmitter embedded in a signal including said video.

86. Cancelled

87. (Previously presented) The method of claim 84, wherein said video is encrypted.

88-90. Cancelled

91. (Currently amended) ~~The method of claim 56, wherein said video apparatus includes~~ A method for receiving and processing remotely originated and user specific data for use with a video apparatus, said video apparatus having an audio receiver and a video output device for displaying a video presentation comprising a locally generated image and an image received from a remote video source, said method further comprising the steps of:

receiving said user specific data at said video apparatus, said user specific data being specific to a user of said video apparatus;

contacting a remote data source after said step of receiving said user specific data;

receiving from said remote data source based on said step of contacting said remotely originated data to serve as a basis for displaying said video presentation;

executing processor instructions to process said remotely originated data and said user specific data at said video apparatus in order to generate said locally generated image, said locally generated image including at least some information content that does not include any information from said remote video source and said remote data source;

receiving, at said audio receiver, audio which describes information displayed in said video presentation;

simultaneously displaying said locally generated image and said image received from said remote video source at said video output device, wherein said at least some information content of said locally generated image is displayed; and

outputting said audio at said video apparatus before ceasing to display said locally generated video image.

92. Cancelled

93. (Previously presented) A method of outputting a video presentation at a receiver station, said method comprising the steps of:

receiving at least one information transmission at said receiver station, said at least one information transmission including a first discrete signal and a second discrete signal;

detecting said first discrete signal and said second discrete signal in said at least one information transmission;

passing said detected at least one first discrete signal and said second discrete signal to at least one processor;

organizing information included in said at least one first discrete signal with information included in said second discrete signal to provide an organized signal at said receiver station;

generating an image in response to said organized signal by processing at least one user specific subscriber datum, said at least one user specific subscriber datum being stored at said receiver station prior to said step of organizing and based on information supplied by a user of said receiver station, said generated image including at least some information content that does not include any information from said discrete signals; and

outputting said video presentation to said user, said video presentation comprising, firstly, a video image and, secondly, a coordinated display using said generated image and said video image, wherein said at least some information content of said generated image is displayed.

94. (Previously presented) The method of claim 93, wherein a receiver specific control signal is generated based on a third discrete signal, said method further including the step of:

selecting said video presentation in response to said generated receiver specific control signal.

95. (Previously presented) The method of claim 94, further comprising the step of controlling at least one of a receiver, a switch, a decryptor, a storage device, and a computer based on said receiver specific control signal.

96-97. Cancelled

98. (Previously presented) The method of claim 94, wherein said third discrete signal includes only partial information of an identifier.

99. Cancelled

100. (Previously presented) The method of claim 93, further comprising the steps of:

receiving said at least one user specific subscriber datum; and

passing said at least one user specific subscriber datum to a storage device.

101. Cancelled

102. (Previously presented) The method of claim 93, further including the step of:

contacting a remote station to obtain said at least one user specific subscriber datum.

103. (Previously presented) The method of claim 93, wherein a receiver specific control signal is processed based on a third discrete signal, said method further including the step of outputting said video image in response to said receiver specific control signal.

104-105. Cancelled

106. (Previously presented) The method of claim 93, wherein a receiver specific control signal is processed based on a third discrete signal, wherein said coordinated display is output based on said receiver specific control signal.

107. (Previously presented) The method of claim 93, wherein said video image is received in one of a television and a multichannel information transmission.

108. (Previously presented) The method of claim 107, wherein said one of a television and a multichannel information transmission comprises an analog television signal.

109. (Previously presented) The method of claim 93, wherein said receiver station includes a video monitor which outputs said video presentation, wherein said video presentation comprises a series of computer generated video display outputs, and wherein by processing said at least one user specific subscriber datum said at least one processor delivers said generated image at said video monitor in one of said series of computer generated display outputs, said method further comprising the step of receiving said at least one user specific subscriber datum from a remote data source.

110-182. Cancelled

183. (Previously presented) The method of claim 84, further comprising the steps of:

receiving a first control discrete signal and a second control discrete at said transmitter station;

organizing information included in said first control discrete signal with information included in said second control discrete signal at said transmitter station to provide a control signal, wherein said step of transmitting is based on said control signal.

184. (Previously presented) The method of claim 84, wherein said at least one organized signal instructs said at least one receiver station to generate said locally generated image.

185. (Previously presented) The method of claim 84, wherein said at least one organized signal instructs said at least one receiver station to output said locally generated image.

186. (Previously presented) The method of 185, further comprising the steps of:
receiving an additional signal that is effective to enable said at least one receiver station to respond to said organized signal;
transferring said additional signal to said transmitter; and
transmitting said additional signal to said at least one receiver station.

187. (Previously presented) A method of outputting a video presentation at a receiver station, said method comprising the steps of:
receiving at least one information transmission at said receiver station, said at least one information transmission including a first discrete signal and a second discrete signal;
detecting said first discrete signal and said second discrete signal in said at least one information transmission;
passing said detected at least one first discrete signal and said second discrete signal to at least one processor;
organizing information included in said at least one first discrete signal with information included in said second discrete signal to provide an organized signal at said receiver station;

generating an image by processing at least one user specific subscriber datum, said at least one user specific subscriber datum being stored at said receiver station prior to said step of organizing and based on information supplied by a user of said receiver station, said generated image including at least some information content that does not include any information from said discrete signals; and

outputting said video presentation to said user based on said organized signal, said video presentation comprising, firstly, a video image and, secondly, a coordinated display using said generated image and said video image, wherein said at least some information content of said generated image is displayed.

188. (Previously presented) The method of claim 187, wherein a receiver specific control signal is generated based on a third discrete signal, said method further including the step of:

selecting said video presentation in response to said generated receiver specific control signal.

189. (Previously presented) The method of claim 188, further comprising the step of controlling at least one of a receiver, a switch, a decryptor, a storage device, and a computer based on said receiver specific control signal.

190. (Previously presented) The method of claim 188, wherein said third discrete signal includes only partial information of an identifier.

191. (Previously presented) The method of claim 187, further comprising the steps of:

receiving said at least one user specific subscriber datum; and
passing said at least one user specific subscriber datum to a storage device.

192. (Previously presented) The method of claim 187, further including the step of:

contacting a remote station to obtain said at least one user specific subscriber datum.

193. (Previously presented) The method of claim 187, wherein a receiver specific control signal is processed based on a third discrete signal, said method further including the step of outputting said video image in response to said receiver specific control signal.

194. (Previously presented) The method of claim 187, wherein a receiver specific control signal is processed based on a third discrete signal, wherein said step of generating is based on said receiver specific control signal.


195. (Previously presented) The method of claim 187, wherein said video image is received in one of a television and a multichannel information transmission.

196. (Previously presented) The method of claim 195, wherein said one of a television and a multichannel information transmission comprises an analog television signal.

197. (Previously presented) The method of claim 187, wherein said receiver station includes a video monitor which outputs said video presentation, wherein said


Art Unit: 2628

video presentation comprises a series of computer generated video display outputs, and wherein by processing said at least one user specific subscriber datum said at least one processor delivers said generated image at said video monitor in one of said series of computer generated display outputs, said method further comprising the step of receiving said at least one user specific subscriber datum from a remote data source.

<i>Index of Claims</i> 	Application/Control No. 08470571	Applicant(s)/Patent Under Reexamination HARVEY ET AL.
	Examiner PETER-ANTHONY PAPPAS	Art Unit 2628


✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant			<input type="checkbox"/> CPA			<input type="checkbox"/> T.D.			<input type="checkbox"/> R.1.47			
CLAIM			DATE									
Final	Original	10/24/2009										
	1	-										
	2	-										
	3	-										
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Index of Claims 	Application/Control No. 08470571	Applicant(s)/Patent Under Reexamination HARVEY ET AL.
	Examiner PETER-ANTHONY PAPPAS	Art Unit 2628


✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant			<input type="checkbox"/> CPA			<input type="checkbox"/> T.D.			<input type="checkbox"/> R.1.47			
CLAIM			DATE									
Final	Original	10/24/2009										
	37	-										
	38	-										
	39	-										
	40	-										
	41	-										
	42	-										
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	69	=										
	70	=										
	71	=										
	72	=										

<i>Index of Claims</i> 	Application/Control No. 08470571	Applicant(s)/Patent Under Reexamination HARVEY ET AL.
	Examiner PETER-ANTHONY PAPPAS	Art Unit 2628


✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant			<input type="checkbox"/> CPA			<input type="checkbox"/> T.D.			<input type="checkbox"/> R.1.47			
CLAIM			DATE									
Final	Original	10/24/2009										
	73	-										
	74	=										
	75	-										
	76	-										
	77	-										
	78	-										
	79	-										
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	108	=										

Index of Claims 	Application/Control No. 08470571	Applicant(s)/Patent Under Reexamination HARVEY ET AL.
	Examiner PETER-ANTHONY PAPPAS	Art Unit 2628


✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant			<input type="checkbox"/> CPA			<input type="checkbox"/> T.D.			<input type="checkbox"/> R.1.47			
CLAIM			DATE									
Final	Original	10/24/2009										
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	112	-										
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	143	-										
	144	-										

<i>Index of Claims</i> 	Application/Control No. 08470571	Applicant(s)/Patent Under Reexamination HARVEY ET AL.
	Examiner PETER-ANTHONY PAPPAS	Art Unit 2628

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant			<input type="checkbox"/> CPA			<input type="checkbox"/> T.D.			<input type="checkbox"/> R.1.47			
CLAIM			DATE									
Final	Original	10/24/2009										
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	180	-										

<i>Index of Claims</i> 	Application/Control No. 08470571	Applicant(s)/Patent Under Reexamination HARVEY ET AL.
	Examiner PETER-ANTHONY PAPPAS	Art Unit 2628

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant			<input type="checkbox"/> CPA			<input type="checkbox"/> T.D.			<input type="checkbox"/> R.1.47			
CLAIM			DATE									
Final	Original	10/24/2009										
	181	-										
	182	-										
	183	=										
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	196	=										
	197	=										

Request for Certificate of Correction
Patent No. **7,734,251**
Attorney Docket No. **PMC-003 C228**
Page 4 of 5

EXHIBIT B



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P O Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

70813 7590 02/25/2010

GOODWIN PROCTER LLP
901 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20001

EXAMINER

PAPPAS, PETER-ANTHONY

ART UNIT

PAPER NUMBER

2628

DATE MAILED: 02/25/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/470,571	06/06/1995	JOHN C. HARVEY	PMC-003 C228	7586
TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	05/25/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

70813 7590 02/25/2010

**GOODWIN PROCTER LLP
901 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20001**

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/470,571	06/06/1995	JOHN C. HARVEY	PMC-003 C228	7586

TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	05/25/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
PAPPAS, PETER-ANTHONY	2628	455-003010

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/127; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P O Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/470,571

06/06/1995

JOHN C. HARVEY

PMC-003 C228

7586

70813

7590

02/25/2010

GOODWIN PROCTER LLP
901 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20001

EXAMINER

PAPPAS, PETER-ANTHONY

ART UNIT

PAPER NUMBER

2628

DATE MAILED: 02/25/2010

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b) (application filed prior to June 8, 1995)

This patent application was filed prior to June 8, 1995, thus no Patent Term Extension or Adjustment applies.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

08/470,571

Applicant(s)

HARVEY ET AL.

Examiner

PETER-ANTHONY PAPPAS

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/28/10.
2. ☒ The allowed claim(s) is/are 67-72,74,80,81,84,85,87,91,93-95,98,100,102,103,106-109 and 183-197.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1/28/10.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Peter-Anthony Pappas/
Primary Examiner, Art Unit 2628

Examiner-Initiated Interview Summary		Application No. 08/470,571	Applicant(s) HARVEY ET AL.
Examiner PETER-ANTHONY PAPPAS		Art Unit 2628	

All Participants:

(1) PETER-ANTHONY PAPPAS.

(2) Thomas J. Scott, Jr.

Date of Interview: 28 January 2010

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Status of Application: Pending

(3) Carl L. Benson.

(4) _____

Time: _____

Part I.

Rejection(s) discussed:

Claims discussed:

80

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Peter-Anthony Pappas/
Primary Examiner, Art Unit 2628

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed:

The examiner stated that the administrative requirement set forth by the examiner in the Ex parte Quayle action mailed on 11/03/09 is hereby withdrawn as the examiner has independently conducted a double patenting analysis of the claims in the instant application. An examiner's amendment to place the instant application into conditions for allowance was proposed and agreed upon.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
08470571	6/6/95	HARVEY ET AL.	PMC-003 C228

GOODWIN PROCTER LLP
901 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20001

EXAMINER

PETER-ANTHONY PAPPAS

ART UNIT PAPER

2628

20100120

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

It is noted that for each NPL document, listed on the respective PTO-1449 forms filed in the instant application, with no date information a "no date" annotation has been assigned by the examiner to each as the date information was not readily obtainable.

/Peter-Anthony Pappas/
Primary Examiner, Art Unit 2628

EXAMINER'S AMENDMENT

1. The administrative requirement set forth by the examiner in the office action mailed on 11/03/09 is hereby withdrawn as the examiner has independently conducted a double patenting analysis of the claims in the instant application.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas J. Scott on 1/28/10.

The application has been amended as follows:

- Claim 80, as disclosed in the Ex parte Quayle mailed on 11/3/09, line 14, replace "said at least some information content for display;" with --said at least some information content being subsequently displayed;--.
3. Claims 67-72, 74, 80, 81, 84, 85, 87, 91, 93-95, 98, 100, 102, 103, 106-109 and 183-197 are allowed. See the comments disclosed in the Ex parte Quayle mailed on 11/3/09.
 4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER-ANTHONY PAPPAS whose telephone number is (571) 272-7646. The examiner can normally be reached on M-F 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter-Anthony Pappas/
Primary Examiner, Art Unit 2628

EXHIBIT C



January 9, 2003

In re Patent Application of:

John C. Harvey and
James W. Cuddihy

Application No.: 08/470,571

Filed: June 6, 1995

Title: SIGNAL PROCESSING APPARATUS AND METHODS

Attorney Docket No.: 5634.0261

Group Art Unit: 2614

Examiner: HARVEY, David L.

RECEIVED

JAN 13 2003

Technology Center 2800

Commissioner for Patents
Washington, DC 20231

Transmitted herewith is an Amendment Under 37 C.F.R. § 1.111 including a Declaration of Dr. George T. Ligler Under 37 C.F.R. § 1.132 and a Petition for Extension of Time Under 37 C.F.R. § 1.136.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra	Rate		Amount
				Large Entity	Small Entity	
Number of Claims in Excess of 20	51	127	0	\$ 18.00	\$ 9.00	\$ 0.00
Independent Claims in Excess of 3	5	18	0	\$ 84.00	\$ 42.00	\$ 0.00
First Presentation of Multiple Dependent Claims				\$ 280.00	\$ 140.00	\$ 0.00
Extension Fee:	a) One Month			\$ 110.00	\$ 55.00	\$ 0.00
	b) Two Months			\$ 410.00	\$ 205.00	\$ 0.00
	c) Three Months			\$ 930.00	\$ 465.00	\$ 23 0.00
	d) Four Months			\$1450.00	\$ 725.00	\$ 0.00
	e) Five Months			\$1970.00	\$ 985.00	\$ 0.00
Other:						\$ 0.00
TOTAL FEE DUE						\$930.00

- ☐ No additional fee is required.
☒ A check in the amount of \$ 930 is attached.
☐ Charge \$ _____ to Deposit Account No. 06-1075.
☒ Charge any additional fees or credit any overpayment to Deposit Account No. 06-1075.

- ☐ Small Entity Status Claim:
is hereby requested.
☐ is of record in this application.

FISH & NEAVE
1251 Avenue of the Americas
New York, NY 10020-1104

Respectfully submitted,

Joseph M. Guiliano
Registration No. 36,539
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Serial No. 08/470,571
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John C. HARVEY and
James W. Cuddihy

Serial No. : 08/470,571

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For : SIGNAL PROCESSING APPARATUS AND METHODS

Group Art Unit : 2614

Examiner : HARVEY, David E.

Commissioner for Patents
Washington, D.C. 20231

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AMENDMENT AND REQUEST FOR RECONSIDERATION

This amendment and reply is responsive to the Office action mailed July 17, 2002 (Office action). Applicants respectfully request that the following amendments be entered into the above-captioned application:

I. AMENDMENT TO THE CLAIMS

Applicants request that the amended claims below be considered. For the convenience of the Examiner, all pending claims are presented below.

Claims 56, 57, 58, 61, 65-67, 69-74, 80, 81, 84, 85, 89-91, 93-95, 98, 102, 106, and 109 are amended. A version of each of these claims marked to show the amendments thereto is included in Exhibit 1.

Please cancel claims 59, 64, 76, 82, 86, 96, 97, 99, 101, 104, 103, 110-114, 146-148, 120-127, 129, 140, 141, 162-176, 178, 181 and 182 without prejudice.

Please add new claims 183-197.

Claims 60, 62, 63, 68, 87, 100, 103, 107, and 108 remain unchanged.

Claims 56-58, 60-63, 65-74, 80, 81, 84, 85, 87, 89-91, 93-95, 98, 100, 102, 103, 106-109, and 183-197 are presently pending.

56. (Six Times Amended) A method for receiving and processing remotely originated and user specific data for use with a video apparatus, said video apparatus having a video output device for displaying a video presentation comprising a locally generated image and an image received from a remote video source, said method comprising the steps of:

receiving said user specific data at said video apparatus, said user specific data being specific to a user of said video apparatus;

contacting a remote data source after said step of receiving said user specific data; receiving from said remote data source based on said step of contacting said remotely originated data to serve as a basis for displaying said video presentation;

executing processor instructions to process said remotely originated data and said user specific data at said video apparatus in order to generate said locally generated image; and

simultaneously displaying said locally generated image and said image received from said remote video source at said video output device.

57. (Five Times Amended) The method of claim 56, further comprising the step of programming said video apparatus to perform any one of said steps of contacting, receiving said remotely originated data, and displaying.

58. (Four Times Amended) The method of claim 56, wherein said video apparatus includes a computer and said method further comprises the step of programming said video apparatus to perform said step of displaying, said step of programming comprises the steps of:

storing at least one processor instruction in said computer;

detecting an instruct signal received at said video apparatus; and
executing said at least one processor instruction in response to said instruct signal.

60. (Unchanged) The method of claim 56, further comprising processing an identifier.

61. (Four Times Amended) The method of claim 60, wherein said identifier identifies at least one of:

a television program;
a communications resource; and
said locally generated image.

62. (Unchanged) The method of claim 61, wherein said identifier is received at said video apparatus from one of said remote video source and said remote data source.

63. (Unchanged) The method of claim 56, wherein said video apparatus communicates with said remote data source via a digital information channel.

65. (Six Times Amended) The method of claim 56, wherein said video apparatus includes a computer, said method further comprising the steps of:

organizing first information included in a first discrete signal with second information included in a second discrete signal in order to enable said video apparatus to process at least one organized signal which comprises said first information and said second information; and

causing said computer to respond to said at least one organized signal.

66. (Five Times Amended) The method of claim 65, wherein said step of organizing is controlled by a processor.

67. (Four Times Amended) The method of claim 56, further comprising the step of storing a first television program in order to present at least one of said locally generated image and said image received from said remote video source at a particular time or place.

68. (Unchanged) The method of claim 67, wherein said video output device displays said locally generated image based on said step of storing.

69. (Five Times Amended) The method of claim 67, wherein said video apparatus includes a computer which stores said remotely originated and said user specific data.

70. (Five Times Amended) The method of claim 67, wherein said video apparatus includes a computer which generates said locally generated image in response to at least one instruct signal, said method further comprising the step of inputting said first television program to said computer.

71. (Four Times Amended) The method of claim 70, further comprising the step of programming said computer to respond to said at least one instruct signal.

72. (Three Times Amended) The method of claim 71, wherein said first television program is received from said remote video source.

73. (Four Times Amended) The method of claim 56, wherein said video apparatus receives encrypted video from said remote video source.

74. (Three Times Amended) The method of claim 71, wherein said video apparatus includes a local device which inputs selected information to said computer, said method further comprising the step of inputting said at least one instruct signal from said local device to said computer.

80. (Five Times Amended) A method of controlling a video presentation at at least one receiver station of a plurality of receiver stations, said method comprising the steps of:

transmitting a signal from an origination transmitter to a remote intermediate transmitter station, said signal including video and an instruct signal which is operative at said at least one receiver station to instruct said at least one receiver station to at least one of generate and output a locally generated portion of said video presentation based on data specific to a user of said receiver station for display coordinated with said video; and

transmitting at least one control signal from said origination transmitter to said remote intermediate transmitter station before a specific time, wherein said at least one control signal is effective at said remote intermediate transmitter station to control communication of said video and said instruct signal to said at least one receiver station.

81. (Four Times Amended) The method of claim 80, wherein said at least one control signal comprises information which, at said remote intermediate transmitter station, identifies a portion of an information transmission that includes said video, said method further comprising the step of:

transmitting from said origination transmitter a second control signal which, at said remote intermediate transmitter station, facilitates the communication of said portion of said information transmission to said at least one receiver station.

84. (Five Times Amended) A method of controlling a video presentation at at least one receiver station of a plurality of receiver stations, wherein at least one organized signal comprises information content of separate ones of a plurality of discrete signals and said at least one organized signal is operative to instruct a processor at said at least one receiver station to deliver a locally generated image for display in conjunction with video, said method comprising the steps of:

receiving said video at a transmitter station;

delivering said video to a transmitter;

receiving a first discrete signal and a second discrete signal of said plurality of discrete signals at said transmitter station, wherein said first discrete signal includes information for organizing with information included in said second of said plurality of discrete signals to provide said at least one organized signal, and wherein said at least one organized signal instructs said at least one receiver station to one of generate and output said locally generated image for display coordinated with said video, said locally generated image being based on user specific data, said user specific data being stored at said at least one receiver station prior to said organizing to provide said at least one organized signal, said user specific data being based on information supplied by a user of said at least one receiver station;

transferring said first discrete signal and said second discrete signal to said transmitter; and

transmitting said video, said first discrete signal and second discrete signal to said at least one receiver station.

85. (Three Times Amended) The method of claim 84, wherein at least one of (i) identification data and (ii) said first discrete signal and said second discrete signal is transmitted to said transmitter embedded in a signal including said video.

87. (Unchanged) The method of claim 84, wherein said video is encrypted.

89. (Three Times Amended) The method of claim 56, wherein said video output device includes a viewing screen which displays said image received from said remote video source and said step of displaying comprises replacing less than all of said image received from said remote video source with said locally generated image.

90. (Three Times Amended) The method of claim 89, wherein said locally generated image is overlaid on said image received from said remote video source.

91. (Four Times Amended) The method of claim 56, wherein said video apparatus includes an audio receiver, said method further comprising the steps of:

receiving, at said audio receiver, audio which describes information displayed in said video presentation; and

outputting said audio at said video apparatus before ceasing to display said locally generated video image.

93. (Three Times Amended) A method of outputting a video presentation at a receiver station, said method comprising the steps of:

receiving at least one information transmission at said receiver station, said at least one information transmission including a first discrete signal and a second discrete signal;

detecting said first discrete signal and said second discrete signal in said at least one information transmission;

passing said detected at least one first discrete signal and said second discrete signal to at least one processor;

organizing information included in said at least one first discrete signal with information included in said second discrete signal to provide an organized signal at said receiver station;

generating an image in response to said organized signal by processing at least one user specific subscriber datum, said at least one user specific subscriber datum being stored at said receiver station prior to said step of organizing and based on information supplied by a user of said receiver station; and

outputting said video presentation to said user, said video presentation comprising, firstly, a video image and, secondly, a coordinated display using said generated image and said video image.

94. (Twice Amended) The method of claim 93, wherein a receiver specific control signal is generated based on a third discrete signal, said method further including the step of:

selecting said video presentation in response to said generated receiver specific control signal.

95. (Twice Amended) The method of claim 94, further comprising the step of controlling at least one of a receiver, a switch, a decryptor, a storage device, and a computer based on said receiver specific control signal.

98. (Amended) The method of claim 94, wherein said third discrete signal includes only partial information of an identifier.

100. (Unchanged) The method of claim 93, further comprising the steps of: receiving said at least one user specific subscriber datum; and passing said at least one user specific subscriber datum to a storage device.

102. (Twice Amended) The method of claim 93, further including the step of:
contacting a remote station to obtain said at least one user specific subscriber datum.

103. (Unchanged) The method of claim 93, wherein a receiver specific control signal is processed based on a third discrete signal, said method further including the step of outputting said video image in response to said receiver specific control signal.

106. (Three Times Amended) The method of claim 93, wherein a receiver specific control signal is processed based on a third discrete signal, wherein said coordinated display is output based on said receiver specific control signal.

107. (Unchanged) The method of claim 93, wherein said video image is received in one of a television and a multichannel information transmission.

108. (Unchanged) The method of claim 107, wherein said one of a television and a multichannel information transmission comprises an analog television signal.

109. (Twice Amended) The method of claim 93, wherein said receiver station includes a video monitor which outputs said video presentation, wherein said video presentation comprises a series of computer generated video display outputs, and wherein by processing said at least one user specific subscriber datum said at least one processor delivers said generated image at said video monitor in one of said series of computer generated display outputs, said method further comprising the step of receiving said at least one user specific subscriber datum from a remote data source.

183. (New) The method of claim 84, further comprising the steps of:
receiving a first control discrete signal and a second control discrete at said transmitter station;

organizing information included in said first control discrete signal with information included in said second control discrete signal at said transmitter station to provide a control signal, wherein said step of transmitting is based on said control signal.

184. (New) The method of claim 84, wherein said at least one organized signal instructs said at least one receiver station to generate said locally generated image.

185. (New) The method of claim 84, wherein said at least one organized signal instructs said at least one receiver station to output said locally generated image.

186. (New) The method of 185, further comprising the steps of:
receiving an additional signal that is effective to enable said at least one receiver station to respond to said organized signal;
transferring said additional signal to said transmitter; and
transmitting said additional signal to said at least one receiver station.

187. (New) A method of outputting a video presentation at a receiver station, said method comprising the steps of:
receiving at least one information transmission at said receiver station, said at least one information transmission including a first discrete signal and a second discrete signal;
detecting said first discrete signal and said second discrete signal in said at least one information transmission;
passing said detected at least one first discrete signal and said second discrete signal to at least one processor;
organizing information included in said at least one first discrete signal with information included in said second discrete signal to provide an organized signal at said receiver station;
generating an image by processing at least one user specific subscriber datum, said at least one user specific subscriber datum being stored at said receiver station prior to said step of organizing and based on information supplied by a user of said receiver station; and
outputting said video presentation to said user based on said organized signal, said video presentation comprising, firstly, a video image and, secondly, a coordinated display using said generated image and said video image.

188. (New) The method of claim 187, wherein a receiver specific control signal is generated based on a third discrete signal, said method further including the step of:

selecting said video presentation in response to said generated receiver specific control signal.

189. (New) The method of claim 188, further comprising the step of controlling at least one of a receiver, a switch, a decryptor, a storage device, and a computer based on said receiver specific control signal.

190. (New) The method of claim 188, wherein said third discrete signal includes only partial information of an identifier.

191. (New) The method of claim 187, further comprising the steps of: receiving said at least one user specific subscriber datum; and passing said at least one user specific subscriber datum to a storage device.

192. (New) The method of claim 187, further including the step of: contacting a remote station to obtain said at least one user specific subscriber datum.

193. (New) The method of claim 187, wherein a receiver specific control signal is processed based on a third discrete signal, said method further including the step of outputting said video image in response to said receiver specific control signal.

194. (New) The method of claim 187, wherein a receiver specific control signal is processed based on a third discrete signal, wherein said step of generating is based on said receiver specific control signal.

195. (New) The method of claim 187, wherein said video image is received in one of a television and a multichannel information transmission.

196. (New) The method of claim 195, wherein said one of a television and a multichannel information transmission comprises an analog television signal.

197. (New) The method of claim 187, wherein said receiver station includes a video monitor which outputs said video presentation, wherein said video presentation comprises a series of computer generated video display outputs, and wherein by processing said at least one user specific subscriber datum said at least one processor delivers said generated image at said video monitor in one of said series of computer generated display outputs, said method further comprising the step of receiving said at least one user specific subscriber datum from a remote data source.

II. REMARKS

A. Overview Of Claims As Amended

The claims of the present application are directed generally to the generation or output of locally generated images in video presentations. The general differences in the claims are as follows. Independent claim 56 is directed to a method performed at a receiver with a video apparatus. In claim 56, remotely originated data and user specific data are processed in order to generate the locally generated image. Independent claim 80 is directed to a method of controlling a video presentation at a receiver station from an origination transmitter by transmitting a signal including video and an instruct signal and transmitting a control signal. Independent claim 84 is directed to a method of controlling a video presentation at a receiver station by receiving video and discrete signals at a transmitter station and transmitting the video and discrete signals to the receiver station. Independent claim 93 is directed to a method of outputting a video presentation at a receiver station. In claim 93, discrete signals are received and organized into an

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

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PATENT NO. : 7,734,251

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INVENTOR(S) : John C. Harvey, et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In claim 8, column 286, line 55, insert --at-- before "at least one"

In claim 10, column 287, line 25, insert --at-- before "at least one"

In claim 13, column 287, lines 63-64, insert --signal-- between "discrete" and "at"

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